

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawing includes changes to Figure 3a. This sheet, which includes Figure 3a, replaces the original sheet including Figure 3a.

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 18-21 and 35-36 are pending in the application. Independent claim 18 has been amended to recite an isolated protein. The protein of claim 18 is encoded by a nucleic acid comprising SEQ ID No 1. Claims 19-21 have been amended to address the formal matters. Claims 35 and 36 have been amended to vary the scope of the claimed invention. In that the claimed protein is encoded by SEQ ID No 1, applicants respectfully submit that the recited nucleic acid and protein are sufficiently related so that a search and examination of both is warranted.

The specification has been amended as suggested by the Examiner. In particular, the trademarks identified by the Examiner have been identified in the application. In addition, the specification has been amended to recite sequence identification numbers for each sequence set forth in the specification pursuant to 37 CFR 1.821.

The specification also has been amended at page 4 to provide a heading indicating where the description of the drawings is present in the specification.

As to the Figure 4, the Sequence Listing shows an E amino acid at position 161 as shown in Figure 4.

Applicants also amend Figure 3a so that the figure is consistent with the sequences set forth in the specification. In particular, Figure 3a has been amended to correct discrepancies between SEQ ID Nos 4 and 5. The correct sequences are:

SEQ ID No 4 P2 (GGAAACGUAUCCUUGGGAGG); and

SEQ ID No 5 P3 (GGAAACGUAUCCUCUGGGAG).

Thus, responsive to the requirement for submission of a Sequence Listing, the same is provided herewith, attached to the present amendment, in paper and disc formats. Applicants state that the attached paper and computer readable copies have the same content, and introduce no new matter into the present application.

In view of the above, it is respectfully submitted that the above-identified application complies with the requirements for patent applications containing nucleotide sequences and/or amino acid sequence disclosures.

Claims 18-21 have been amended to address the objection set forth on page 4 of the outstanding Official Action. Applicants thank the Examiner for the suggestion as how to overcome the objections.

Claims 18-19 were rejected under 35 USC 101 for allegedly being directed to non-statutory subject matter. Applicants believe the present amendment overcomes this rejection.

Claims 18-19 have been amended to recite an isolated protein and isolated nucleic acid, respectively. Accordingly, applicants

believe that the claims recite statutory subject matter and do not encompass a product of nature.

Claims 18-21 were rejected under 35 USC 112, second paragraph for allegedly being indefinite. Applicants believe that the present amendment overcomes this rejection.

The claims have been amended as suggested by the Examiner. Claim 18 has been amended to recite a release cleavage product having a 2'-3' cyclic phosphate at the 3' end. In addition, claim 19 has been amended to omit the terms "substantially including", "functional" and "completely".

Thus, applicants request that this rejection be withdrawn.

Claims 18-21 were rejected under 35 USC 112, first paragraph, for allegedly not satisfying the enablement or written description requirements.

However, the claims have been amended to recite the sequence identification numbers found enabled by the present disclosure.

Accordingly, applicants ask that the rejection be withdrawn.

Claims 18-20 were rejected under 35 USC 102(a) as allegedly being anticipated by LANEVE et al. (J. Biol. Chem. 278(15): 13026-13012, April 2003). Claims 18-19 were rejected under 35 USC 102(b) as allegedly being anticipated by LANEVE, P. (Purificazione e caratterizzazione di una nuova attivita endoribonucleolitica nella biosisntesi dei piccolo RNA nucleolari in *X. laevis*, Thesis, 2001) as evidenced by the GenBank accession number AJ507315. Claim 21 was rejected under 35 USC

103(a) as allegedly being unpatentable over LANEVE et al. (J. Biol. Chem. 278(15): 13026-13012, April 2003). Claims 20-21 were rejected under 35 USC 103(a) as allegedly being unpatentable over LANEVE, P. (Purificazione e caratterizzazione di una nuova attivita endoribonucleolitica nella biosintesi dei piccolo RNA nucleolari in *X. laevis*, Thesis, 2001). These rejections are respectfully traversed.

Applicants submit herewith a verified translation of the Italian application No. RM2002A000365, filed on July 8, 2002. Applicants note that the LANEVE et al. (J. Biol. Chem. 278(15): 13026-13012, April 2003) article and the GenBank accession numbers both have a publication date after the filing date of Italian application No. RM2002A000365, filed on July 8, 2002. As a result, applicants believe that these publications fail to qualify as prior art. In this regard, it is unclear why the Examiner disregards the publication date on the XP-0022581414 publication. Indeed, the XP-0022581414 publication shows that the GenBank accession number was not created until September 5, 2002.

Accordingly, applicants respectfully request that the rejection be withdrawn.

In view of the present amendment and foregoing Remarks, therefore, applicants believe that the present application is in condition for allowance at the time of the next Official Action.

Allowance and passage to issue on that basis is respectfully requested.

Charge the fee of \$105 for the extra independent claim added herewith as indicated on the attached Credit Card Deposit Form.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- a terminal disclaimer
- a 37 CFR 1.132 Declaration
- a new or amended Abstract of the Disclosure
- a Replacement Sheet for Figure 3a of the drawings
- a Substitute Specification and a marked-up copy of the originally-filed specification
- a verified English translation of foreign priority document
- Sequence Listing in paper and disk formats